

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CALVIN ROUSE,

Plaintiff,

v.

DOUG WADDINGTON *et al.*,

Defendants.

Case No. C06-5183RJB

ORDER WITHDRAWING
REPORT AND
RECOMMENDATION

This civil rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). On May 21, 2007 the court entered a Report and recommendation to dismiss this action as it appeared from the docket sheet that Mr. Rouse had not filed a timely amended complaint (Dkt. # 47). In fact Mr. Rouse had filed an amended complaint, but the pleading was not entered into the electronic system until May 22, 2007 (Dkt. # 49).

The Report and Recommendation to dismiss, (Dkt. # 47), is WITHDRAWN. The next pleading on the court's calendar is a motion to dismiss (Dkt. # 50). This motion is noted for June 15, 2007.

The Clerk is directed to send plaintiff a copy of this Order to plaintiff and counsel for defendants.

DATED this 5, day of June, 2007.

/S/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge